



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/025,268	12/18/2001	Roy Want	42390P12018	5674

8791 7590 10/11/2005

BLAKELY SOKOLOFF TAYLOR & ZAFMAN
12400 WILSHIRE BOULEVARD
SEVENTH FLOOR
LOS ANGELES, CA 90025-1030

EXAMINER

SAXENA, AKASH

ART UNIT PAPER NUMBER

2128

DATE MAILED: 10/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

He

Office Action Summary

Application No.

10/025,268

Applicant(s)

WANT ET AL.

Examiner

Akash Saxena

Art Unit

2128

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 July 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-38 have been presented for examination based on the amendment filed on 11th July 2005 for application 10/025,268.
2. Claims 1-38 have been amended.
3. Objection to Drawing are withdrawn in the view of corrected drawing & supporting specification submitted to the office.
4. Objection to Title is withdrawn in the view of new title submitted to the office.
5. Objection to Specification is withdrawn in the view of corrected specification submitted to the office.

Claim Objection

6. Amended claim 29 discloses, "stets of instructions". There seems to be a grammatical error in the claim.

Response to applicant's arguments & amendment for

Claim Rejections - 35 USC § 102

7. Regarding Claim 1, 5, 12, 16, 20, 24, 29, 33 and 37

Applicant argues that Banerjee does not teach a data storage module to store emulation data to emulate an electronic apparatus. Examiner respectfully disagrees with applicant as Banerjee teaches DRAM 111a that is volatile and stores the emulation data (Col.11 Lines 15-30). Further, Applicant argues that Banerjee does not teach a controller to control the communication of emulation data to access device to output to a user to emulate the electronic apparatus. Examiner disagrees, as Banerjee teaches a controller 114a to control the communication of emulation data (Col.7 lines 3-5; Col.11 Lines 15-30). Arguments for claim 1 are found to unpersuasive and rejection to claim 1 is maintained.

Rejections to claim 12, 20 and 29 are maintained as it contains similar limitations as claim 1.

No new limitation was added to the amended claims and Banerjee still teaches all the limitations. Hence, amended claims 1, 5, 12, 16, 20, 24, 29, 33 and 37 remain rejected for the same reasons.

Response to applicant's arguments & amendment for

Claim Rejections - 35 USC § 103

8. Regarding Claim 2-4, 13-15, 21-23 and 30-32

No arguments were presented and claim rejections are maintained for the above-mentioned claims, as respective parent claims 1, 12, 20 and 29 remain rejected.

9. Regarding Claim 6, 11, 17, 25, 28, 34 and 38

No arguments were presented and claim rejections are maintained for the above-mentioned claims, as respective parent claims 1, 12, 20 and 29 remain rejected.

10. Regarding Claim 7, 8, 9, 18, 19, 26 and 35

No arguments were presented and claim rejections are maintained for the above-mentioned claims, as respective parent claims 1, 12, 20 and 29 remain rejected.

11. Regarding Claim 10, 27 and 36

No arguments were presented and claim rejections are maintained for the above-mentioned claims, as respective parent claims 1, 20 and 29 remain rejected.

No substantially new limitation was added to the amended claims and Banerjee still teaches all the limitations. Hence, amended claims 2-4, 6-11, 13-15, 17-19, 21-23, 25-28, 30-32, 34-36 and 38 remain rejected for the same reasons.

Conclusion

13. Claims 1-38 are rejected for the same reasons as presented in previous office action mailed on 8th April 2005, incorporated herein by reference.

14. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Art Unit: 2128

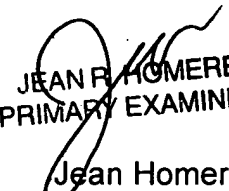
Communication

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Akash Saxena whose telephone number is (571) 272-8351. The examiner can normally be reached on 8:30 - 5:00 PM M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jean R. Homere can be reached on (571)272-3780. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Akash Saxena
Patent Examiner GAU 2128
(571) 272-8351
Monday, October 1, 2005


JEAN R. HOMERE
PRIMARY EXAMINER
Jean Homere